

project without Federal funds appropriated for the Corporation. The Corporation shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on such plan no later than April 1, 1993."

#### SEC. 14. LOCOMOTIVE CONSPICUITY.

Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 431) is amended by adding at the end the following new subsection:

"(u) LOCOMOTIVE CONSPICUITY.—

"(1) The Secretary shall conduct a review of the Department of Transportation's rules with respect to locomotive conspicuity and shall complete the Department's current locomotive conspicuity research no later than December 31, 1993. As part of this review, the Secretary shall collect relevant data from operational experience by railroads having enhanced conspicuity measures in service.

"(2) Not later than December 31, 1992, the Secretary shall issue interim regulations identifying ditch lights, crossing lights, strobe lights, and oscillating lights as interim locomotive conspicuity measures, and authorizing and encouraging installation and use of such measures. The interim regulations and any amendments thereto shall be adopted without regard to subchapter II of chapter 5 of title 5, United States Code. Any locomotive equipped with such interim conspicuity measures on the date of issuance of final regulations under paragraph (3) shall be considered in full compliance with such final regulations until 4 year after issuance of such final regulations.

"(3) Not later than June 30, 1994, the Secretary shall initiate a rulemaking proceeding to issue final regulations requiring substantially enhanced locomotive conspicuity measures. In such rulemaking proceeding, the Secretary shall consider, at a minimum—

"(A) revisions to the existing locomotive headlight standard, including standards for placement and intensity;

"(B) requiring use of reflective materials to enhance locomotive conspicuity;

"(C) requiring use of additional alerting lights (including ditch, crossing, strobe, and oscillating lights);

"(D) requiring use of auxiliary lights to enhance locomotive conspicuity when viewed from the side;

"(E) the effect of any enhanced conspicuity measures on the vision, health, and safety of train crew members;

"(F) separate standards for self-propelled, push-pull and multi-unit passenger operations without dedicated head-end locomotive.

"(4) In issuing regulations under paragraph (3), the Secretary may exclude from any specific conspicuity requirement and category of trains or rail operations if the Secretary determines that such an exclusion is in the public interest and is consistent with rail safety (including grade-crossing safety).

"(5) The Secretary shall issue final regulations requiring enhanced locomotive conspicuity measures no later than June 30, 1995. The Secretary shall require that all locomotives not excluded from the regulations be equipped with interim conspicuity measures under paragraph (2) or the conspicuity measures mandated by final regulations issued under this paragraph, no later than December 31, 1997.

"(6) As used in this subsection, the term 'locomotive conspicuity' means the enhancement of day and night visibility of the front-end unit of a train, by means of lighting, reflective materials, or other means, with particular consideration to the visibility and perspective of drivers of motor vehicles at grade crossings."

And the Senate agrees to the same.

JOHN D. DINGELL,  
AL SWIFT,  
JIM SLATTERY,  
NORMAN F. LENT,  
DON RITTER,

Managers on the Part of the House.

J.J. EXON,

JOHN C. DANFORTH,

Managers on the Part of the Senate.

The SPEAKER pro tempore, Mr. RAY, recognized Mr. SWIFT and Mr. RITTER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to the conference report?

The SPEAKER pro tempore, Mr. RAY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and the conference report was agreed to.

A motion to reconsider the vote whereby the rules were suspended and the conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

#### ¶120.42 LOUISIANA LAND CONVEYANCE

Mr. VENTO moved to suspend the rules and pass the bill of the Senate (S. 3100) to authorize and direct the Secretary of the Interior to convey certain lands in Cameron Parish, Louisiana, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RAY, recognized Mr. VENTO and Mr. DREIER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RAY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DREIER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. RAY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Monday, October 5, 1992, pursuant to the prior announcement of the Chair.

#### ¶120.43 BROWN V. BOARD OF EDUCATION HISTORIC SITE

Mr. VENTO moved to suspend the rules and pass the bill of the Senate (S. 2890) to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RAY, recognized Mr. VENTO and Mr. DREIER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RAY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DREIER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of

the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. RAY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Monday, October 5, 1992, pursuant to the prior announcement of the Chair.

#### ¶120.44 SUSPENSION OF THE RULES

The SPEAKER pro tempore, Mr. RAY, pursuant to section 3 of House Resolution 591, announced the placing of a list at the Speaker's table and in each cloakroom describing the object of each motion to suspend the rules that may be considered no sooner than two hours after said notice.

#### ¶120.45 ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5488. An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1993, and for other purposes.

#### ¶120.46 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLEMENT, for today and the balance of the week.

And then,

#### ¶120.47 ADJOURNMENT

On motion of Mr. McDERMOTT, pursuant to the special order heretofore agreed to, at 1 o'clock and 55 minutes a.m., Monday, October 5 (Legislative Day of Sunday, October 4), 1992, the House adjourned until 10 o'clock a.m. today.

#### ¶120.48 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DERRICK: Committee on Rules. House Resolution 599. Resolution waiving points of order against the conference report to accompany the bill (H.R. 5427) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1993, and for other purposes, and against the consideration of such conference report (Rept. No. 102-1008). Referred to the House Calendar.

Mr. ROE: Committee on Public Works and Transportation. H.R. 1246. A bill to authorize the establishment of the National African-American Museum within the Smithsonian Institution; with an amendment (Rept. No. 102-1009, Pt. 1). Ordered to be printed.

Ms. OAKAR: Committee of conference. Conference report on H.R. 5739 (Rept. No. 102-1010). Ordered to be printed.

Mr. OBEY: Committee of conference. Conference report on H.R. 5368 (Rept. No. 102-1011). Ordered to be printed.

#### ¶120.49 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows: